

Expedited hearing shall be held on 10/12/2010 at 09:00 AM in Austin Courtroom 2. Movant is responsible for notice.



**IT IS HEREBY ADJUDGED and DECREED that the below described is SO ORDERED.**

**Dated: October 01, 2010**

A handwritten signature in cursive script that reads "Craig A. Gargotta".

**CRAIG A. GARGOTTA  
UNITED STATES BANKRUPTCY JUDGE**

---

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

IN RE:

COLONY LODGING, INC.  
MONTE NIDO ESTATES, LLC  
ROSSCO HOLDINGS, INC.  
WM PROPERTIES, LTD.

DEBTORS.

§  
§  
§  
§  
§  
§  
§  
§  
§

CASE NO. 10-60909  
CASE NO. 10-60920  
CASE NO. 10-60953  
CASE NO. 10-60918

CHAPTER 11

**ORDER GRANTING OMNIBUS MOTION TO EXPEDITE HEARING ON  
EMERGENCY MOTION BY PACIFIC MERCANTILE BANK TO APPOINT A  
CHAPTER 11 TRUSTEE OR, IN THE ALTERNATIVE, APPOINT AN EXAMINER**

Upon the motion (the "Motion to Expedite")<sup>1</sup> filed on October 1, 2010 by Pacific Mercantile Bank seeking entry of an order expediting its hearing on its *Emergency Motion by Pacific Mercantile Bank to Appoint a Chapter 11 Trustee or, in the Alternative, Appoint an Examiner* (the "Motion"), it appearing that good cause exists to grant the requested relief; the Court having considered the Motion to Expedite and all related pleadings and documents; it

---

<sup>1</sup> Capitalized terms not defined herein have the same meaning ascribed to them in the Motion.

appearing that the form, scope, and timing of notice of the Motion to Expedite was adequate under the circumstances;

IT IS HEREBY ORDERED that:

1. The Motion to Expedite is granted in its entirety.
2. The hearing on the Motion is set for expedited hearing on \_\_\_\_\_, \_\_\_\_\_, 2010 at \_\_\_\_\_ .m. before the Honorable Ronald B. King at the Hipolito F. Garcia Federal Building and United States Courthouse, 615 E. Houston St., Room 505, San Antonio, Texas 78295-1439.
3. PMB will provide notice of the hearing.
4. This Court will retain jurisdiction to hear and determine all matters arising from implementation of this Order.

####

Order prepared and submitted by:  
Patricia B. Tomasco  
State Bar No. 01797600  
MUNSCH HARDT KOPF & HARR, P.C.  
401 Congress Avenue, Suite 3050  
Austin, Texas 78701  
Telephone: (512) 391-6100  
Facsimile: (512) 391-6149  
Email: ptomasco@munsch.com

-and-

Justin E. Rawlins (admitted *pro hac vice*)  
California State Bar No. 209915  
WINSTON & STRAWN LLP  
333 South Grand Avenue, Suite 3800  
Los Angeles, California 90071-1543  
Telephone: (213) 615-1700  
Facsimile: (213) 615-1750  
Email: jrawlins@winston.com

**ATTORNEYS FOR PACIFIC MERCANTILE BANK**